



Local Government Guidelines (LGG) Training





THE LOCAL GOVERNMENT GUIDELINES MANUAL





- <http://www.tdot.state.tn.us>
- Click “For Local Government”
- Scroll to January 2014
- Updated Forms, Checklists & Documents are Now Available
- Click on Local Government Guidelines Manual, Adobe PDF



The manual provides “hot links” to other forms and documents you may need for administration of your project. Just click on the form referenced in blue.



WHO WILL GUIDE YOUR PROJECT THROUGH THE
PROCESS?



Your Local Programs Planner

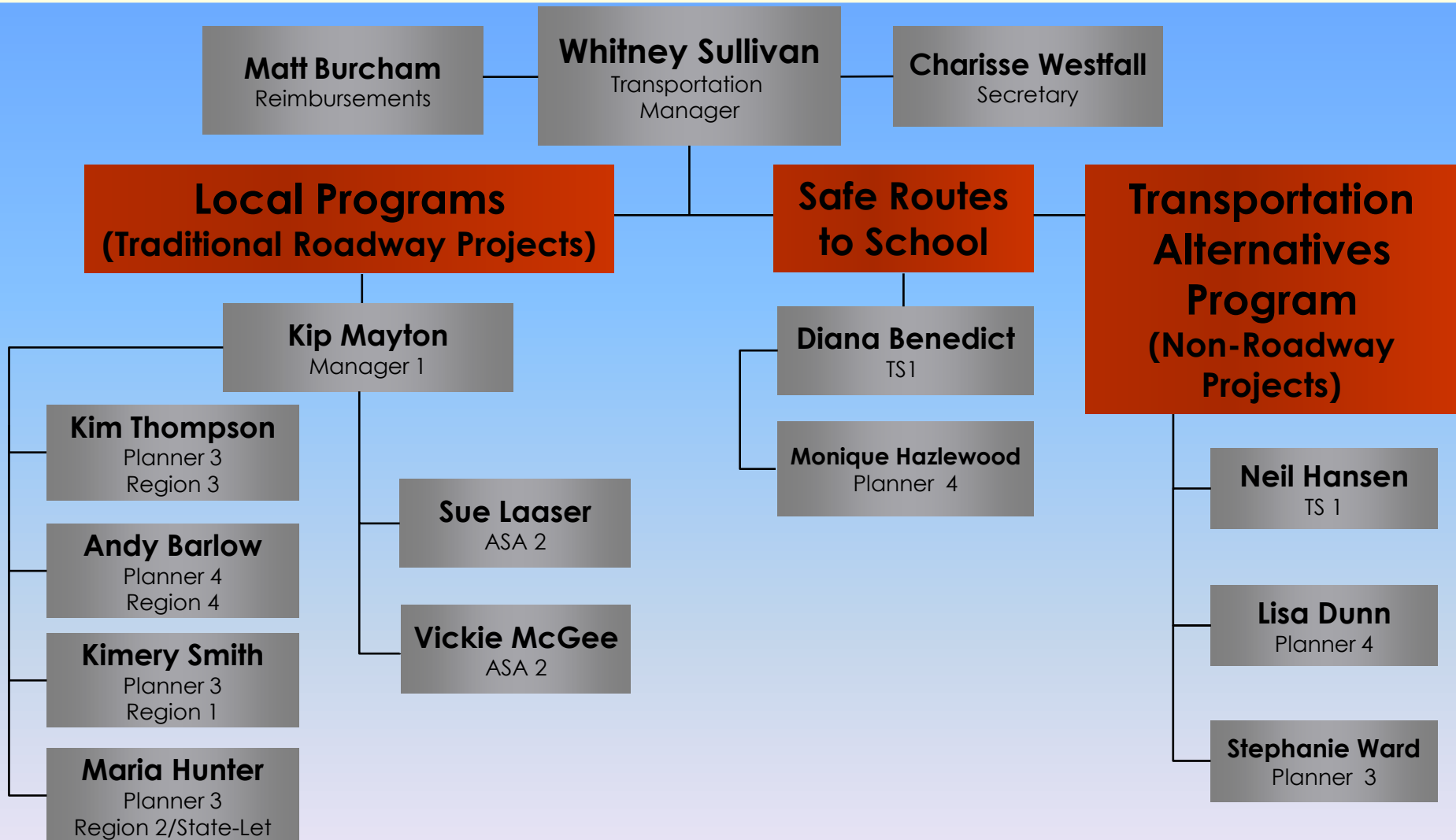


TDOT LOCAL PROGRAMS IS YOUR MAIN POINT OF CONTACT



- | | |
|---|-----------------------|
| ◎ Local Programs Section | Kip Mayton |
| ◎ Transportation Alternatives Coordinator | Neil Hansen |
| ◎ Safe Routes to School | Diana Benedict |
| ◎ Region 1 – Locally Managed Projects | Kimery Smith |
| ◎ Region 2 – Locally Managed Projects/
TDOT Managed Projects | Maria Hunter |
| ◎ Region 3 – Locally Managed Projects | Kim Thompson |
| ◎ Region 4 – Locally Managed Projects | Andy Barlow |
| ◎ Invoicing | Matt Burcham |

LOCAL PROGRAMS ORGANIZATIONAL CHART



YOUR PLANNER COORDINATES WITH:



- **TDOT Program Operations Office**
- **TDOT Environmental Division**
- **TDOT Design Division**
- **TDOT Right-of-Way Division**
- **TDOT Region Offices**
- **TDOT Civil Rights Office**
- **TDOT Construction**
- **Metropolitan Planning Organizations (MPOs)**
- **And with YOU, the Municipality**



- **All the steps, regulations and procedures are in place to ensure that nobody misuses taxpayer funds.**
- **Assume every project you do will be audited.**



1. Eligibility Determination ✓
2. NEPA Phase ✓
3. Design Phase ✓
4. Right of Way Acquisition Phase ✓
5. Construction Phase ✓
6. Project Closeout ✓



- ◎ **Local governments (cities and counties)**

Who is NOT Eligible?

- ◎ **Civic groups, non-profits, neighborhood groups and other interested parties**

FEDERALLY FUNDED PROGRAMS FOR LOCAL GOVERNMENTS



- ◎ **Surface Transportation Program (STP)**
- ◎ **Transportation Alternatives Program
(previously Transportation Enhancement Program)**
- ◎ **Congestion Mitigation & Air Quality Improvement Program (CMAQ)**
- ◎ **Bridge Replacement Program (BRZ)**
- ◎ **Safe Routes to School (SRTS)**
- ◎ **Spot Safety Program (SIP)**
- ◎ **Highway Safety Improvement Program (HSIP)**



- ◎ **Interchange Lighting Program**
- ◎ **State Industrial Access Road Program (SIA)**
- ◎ **Local Interstate Connector Program (LIC)**



- ◎ **Projects being considered must be included in the Transportation Improvement Program (TIP) in the case of urban areas over 50,000 population, or**
- ◎ **Must be included in the State Transportation Improvement Program (STIP) with Rural Planning Organization (RPO) notification in regard to projects in rural areas**



- ◎ **Projects must be on a road functionally classified greater than a local street or a rural minor collector (unless it is Transportation Alternative funded)**
- ◎ **Local Governments must be staffed and equipped to manage and construct the project (unless it is Transportation Alternative funded)**
- ◎ **Local governments shall use TDOT standards, specifications and item numbers**
- ◎ **Soft match is no longer allowed**



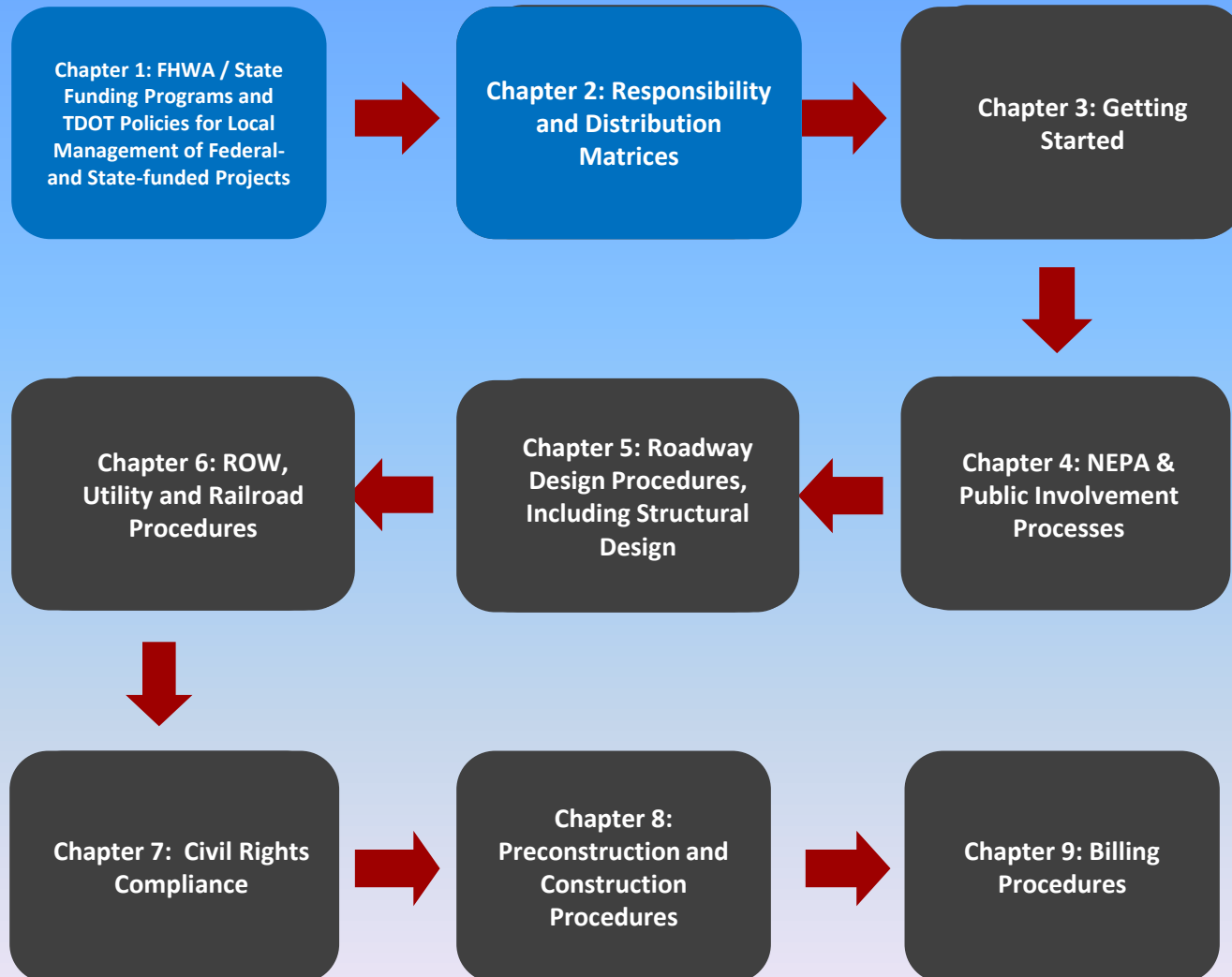
- ◎ **Local Programs is the single point of contact for:**
 - **Project Correspondence**
 - **Submittals**
 - **Project Coordination**
- ◎ **Checklists are provided for each review point**
- ◎ **If guidelines are not followed, withdrawal of all federal and/or state funding may occur**
- ◎ **Local governments shall use TDOT pre-qualified consultants for every phase**



TDOT Concurrence Points

- Project Eligibility
- Environmental document
- Design plans
- Right-of-Way, utility certification and permits
- Detailed cost estimate, advertisement and bid book approval
- DBE approval and Title VI compliance
- Bid tabulations and intent to award to lowest responsive bidder
- Field inspections

FLOW CHART AND RESPONSIBILITY MATRIX





- ◎ **Contact TDOT Local Programs Office Regional Planner**
- ◎ **Submit Form 3-1: Project Initiation Form and Checklist**
- ◎ **The local government must be staffed and equipped to manage the project**
- ◎ **Copy of LGGM Training, ROW Training and CEI Training Certificates**

PROJECT INITIATION FORM AND CHECKLIST



Local Government Managed Project Initiation Checklist and Form

Below you will find a checklist that will aid you in the process of establishing a federally or state-funded project that your agency wishes to manage and let to construction. Please check off the items in the checklist below to be sure that you have all of the necessary information that is required for the process of beginning a new project. A detailed description of each item is located on the following pages and in the Local Government Guidelines.

1. ☐ Description of the Project
 - ☐ Location Map (attachment)
 - ☐ Description of Project Limits
 - ☐ Length of Project
 - ☐ Functional Classification
2. ☐ List of Local Government Staff Overseeing the Work, with Qualifications
3. ☐ List of Consultants Involved in Project (If not seeking reimbursement)
4. ☐ List of Civil Rights Coordinator(s), Title VI, DBE Liaison
5. ☐ Local Government's Experience
6. ☐ Proprietary Items
7. ☐ Reimbursement Signatures
8. ☐ Request to use Local Force Account
9. ☐ Purpose and Need Statement (attachment)
10. ☐ Copy of any Agreements / Contracts / MOU Or Certification of Compliance Regarding Third Party Contracts (attachment)
11. ☐ Method of Bidding Statement (attachment)
12. ☐ Donated Services or Land (Federally Funded Only) (attachment)
13. ☐ Copy of TDOT Right-of-Way Training Certificate (attachment)
14. ☐ Copy of Local Government Guidelines Manual Certificate (attachment)
15. ☐ Most Recent Audit (attachment)
16. ☐ Copy of the TIP Page (attachment)

_____ Date	_____ County
_____ Local Government Official / Project Supervisor	

The information included in the checklist must be submitted to the Department (Local Program Development Office, Suite 600, James K. Polk State Office Building, 505 Deaderick Street, Nashville, TN 37243-0341 or Local.Programs@tn.gov)

SMALL PROJECTS, SUCH AS...



- ◎ **Transportation Alternatives (TA)**
- ◎ **Intersection improvements without significant ROW (under one acre of disturbance)**
- ◎ **Safe Route to Schools**
- ◎ **Resurfacing, striping, signing**
- ◎ **Guardrail installation**
- ◎ **Signalization**
- ◎ **Some bridge replacement projects (under one acre of disturbance)**
- ◎ **Non-construction/service contracts (as listed in Chapter 10)**
- ◎ **Low risk and exempt ITS**



- ◎ Full-time employee of agency with experience in managing similar projects
 - ◎ Must hire design and construction engineering and inspection (CEI) consultants from TDOT's pre-approved list
- NOTE: No need for consultant CEI if local forces are qualified, experienced and pre-approved by TDOT

MID-RANGE PROJECTS, SUCH AS...



- ⦿ Roadway widening
- ⦿ Realignment of existing roadway
- ⦿ Signalization projects with the addition of turn lanes
- ⦿ Intersection improvements with significant ROW (over one acre of disturbance)
- ⦿ Bridge replacement projects requiring significant land acquisition (over one acre of disturbance)
- ⦿ Projects with environmental requirements greater than a categorical exclusion but lesser than an EIS
- ⦿ High risk ITS



- ◎ Professional registered engineer on staff
- ◎ Must hire design and construction engineering and inspection (CEI) consultants from TDOT's pre-approved list
- ◎ The selected CEI consultant shall not be associated with any other aspect of the project

LARGE PROJECTS, SUCH AS...



- ◎ **Construction of new facilities**
- ◎ **Widening of existing roadways**
- ◎ **Realignment of existing roadways that require significant land acquisition (over 10 acres)**
- ◎ **Environmental clearances that require an EIS**



- ◎ Professional registered engineer on staff with extensive experience working with federal and state agencies
- ◎ Experience in managing federally-funded transportation projects
- ◎ Must hire design and construction engineering and inspection (CEI) consultants from TDOT's pre-approved list
- ◎ The selected CEI consultant shall not be associated with any other aspect of the project



- ◎ Written statement of qualifications followed by an interview with Local Programs
- ◎ If certification was previously obtained, the local government must verify that all prior information provided to TDOT has not changed



The Department may manage your project for you if one of the following circumstances is applicable:

- If your project is within State Right of Way
- or**
- If your local government is not adequately staffed and equipped for the level of project you wish to pursue

The local agency may request TDOT Management or it may be determined by the Department.

Plans must meet TDOT Design Guidelines

All required documents for letting must be turned in on specified turn-in date



1. Agency determines project scope and submits application/initiation form (3-1)

- ◎ Choose a road that is functionally classified for federal aid
- ◎ Make sure the project is in the STIP or TIP, whichever is applicable
- ◎ Gather submittal information (Map, Scope, Description, and Budget)
- ◎ Submit application/form to LPDO
- ◎ LPDO makes staffed and equipped determination

ALLOW AT LEAST 4 WEEKS



2. Local Programs Development Office Activities

- ⦿ Verifies eligibility
- ⦿ Coordinates with TDOT Program Operations
- ⦿ Generates contract

ALLOW AT LEAST 2 WEEKS



3. Contract to Local Agency for Signatures

- ◎ Review terms and responsibilities
- ◎ Contact LPDO if any changes are needed
- ◎ Obtain governing authority and signatures

ALLOW AT LEAST 4 WEEKS



4. Contract to Local Programs for Execution

- ⦿ Contract sent to TDOT Legal Division for signature
- ⦿ Project NEPA funds obligation requested
- ⦿ Contract sent to Commissioner for execution
- ⦿ Returned from Commissioner to LPDO
- ⦿ Copy of fully-executed contract returned to local agency

ALLOW AT LEAST 3 WEEKS



**Preliminary Engineering for Environmental Clearance
and Hiring of the Design Consultant**



Preliminary Engineering for Final Design



**Right-of-Way (sent to TDOT Regional Right-of-Way Office
only)**



Construction

SAMPLE NOTICE TO PROCEED

NOTICE TO PROCEED WITH THE **CONSTRUCTION PHASE** OF PROJECT DEVELOPMENT

PIN:
FEDERAL PROJECT NUMBER:
STATE PROJECT NUMBER:
ROUTE (STREET NAME):
FROM:
TO:
CITY:
COUNTY:
REGION:

Effective Date:
Date of Transmittal:

This letter serves as your official **Notice to Proceed** with the above referenced phase of work for the subject project. The Local Government shall perform this phase of project development in accordance with the Local Government Guidelines provided on the Local Program Development Office website at <http://www.tdot.state.tn.us/local/>. ***Any work performed ahead of a Notice to Proceed's Effective Date will not be reimbursed.***

You may procure, in accordance with law, a consulting engineering firm to do all phases of construction at this time. Please refer to Section 1.6 of the Local Government Guidelines for guidance on consultant selection, if needed. Please provide a copy of the executed contract with the consultant and a copy of the notice sent to the consultant indicating the date work was authorized on the phase of the project mentioned above. These documents should be addressed to Manager, Local Program Development Office and sent by email to Local.Programs@tn.gov.

If you have questions or concerns regarding this matter please direct them to Teresa Estes at 615.741.5314 in the Local Program Development Office. You may contact us by email at: Local.Programs@tn.gov.

cc: Paul Degges
Jim Moore
Ronnie Porter
Brian Egan
Sherree Hall Crowder
Kip Mayton
Jason McCoy
Design Division Local Programs Coordinator (Headquarters)
Regional Director
Regional Design
Regional Traffic
Regional Construction
Regional Materials and Test
File



Environmental Document

- ◎ Must be prepared in accordance with the TDOT Environmental Procedures Manual
- ◎ TDOT will submit the environmental document to FHWA for review and approval
- ◎ New 'Guidelines for Locally Managed Projects'
 - NEPA Documentation for Programmatic and C-List Categorical Exclusions



- ◎ Local government determines the proper level of public involvement
- ◎ Local government is responsible for holding all public hearings/meetings
- ◎ Local government shall certify the level of public involvement with dates and times of meetings
- ◎ Records and comments shall be kept for all public meetings and provided to TDOT
- ◎ Disposition of comments shall be collected and included in the NEPA document

<http://www.tdot.state.tn.us/documents/pip.pdf>



5. NEPA Phase

- ◎ LPDO receives funds obligation; issues NTP
- ◎ Length of NEPA Phase dependent on project complexity
- ◎ Some design activities must occur in the NEPA Phase
- ◎ Ends with approved environmental document

ALLOW AT LEAST 12 WEEKS



5. NEPA Phase

- ◎ **Week 5 of NEPA Phase, consultant should invoice agency**
- ◎ **Agency pays consultant invoice**
- ◎ **Agency's bank statement reflects canceled check (Week 9)**
- ◎ **Agency sends first invoice to LPDO (Week 9)**
- ◎ **Agency receives reimbursement 4 to 6 weeks after submittal**



5. LPDO NEPA Phase Activities

- ◎ Receives approved NEPA document
- ◎ Requests obligation of design funds from FHWA
- ◎ Receives obligation of design funds from FHWA
- ◎ Issues NTP for Design Phase to agency

ALLOW AT LEAST 2 WEEKS



6. Design Phase

- ◎ Design time depends on complexity of project
- ◎ Enough design to obtain NEPA Clearance can be done in NEPA Phase
- ◎ When “footprint” is determined, utility coordination may begin, non-billable activities
- ◎ Design plans submitted to TDOT for review

ALLOW AT LEAST 6 WEEKS



Design Plan Development

◎ All design plans need to be developed according to TDOT standards and format for all Locally Managed Projects:

- Present layout
- Proposed layout
- Right of way present and proposed
- General Notes
- Estimated Quantities
- Drainage
- Traffic control plan
- ADA items
- Clear Zone if it is a State Highway

Exception: Cover Sheet must contain local information



© Structures Plans – Grade Crossings, submit:

- **Preliminary Bridge Layout, including minimum clearances**
 - All Structures plans to be stamped and signed by a Professional Engineer licensed in the State of Tennessee.
 - Local Program Development Office will transmit submittals to TDOT Structures Division
 - Local Agency will also submit all final bridge plans for Structures Division approval.



◎ Retaining walls, submit:

- Preliminary design along with geotechnical data
- Final structural design

◎ Enhancement (TA) projects – detail project location in relation to nearest TDOT structure if said structure may be impacted



- ◎ **Design Review** – electronic submittal of plans. Need to show all present and proposed right-of-way whether it is being acquired for the project or not
- ◎ **Cost Estimate Review** – electronic submittal of plans and copy of detailed engineer's cost estimate
- ◎ **Permit Review** – electronic submittal of plans and copies of all permits
- ◎ **Right-of-Way** – contact appropriate Regional Right-of-Way Office for submittal standards



◎ Common mistakes:

- Proprietary items are to be approved by LP Office
- Cover sheets
- ADA requirements

◎ Plans are submitted up to 3 times:

- Preliminary design
- ROW
- Final construction



- ◎ **A United States federal law passed in 1972 that requires that the U.S. Federal Government select engineering and architecture firms based upon their competency, qualifications and experience rather than by price**

- ◎ **Procurement of services over \$150,000**
 - Must advertise to get Request for Qualifications (RFQs) from qualified firms
 - Establish a consultant evaluation committee
 - Do not negotiate price until selection made

- ◎ **Procurement of services under \$150,000**
 - May contact adequate number (3) of firms for RFQs
 - Establish a consultant evaluation committee
 - Do not negotiate price until selection made



6. Design Phase

- ◎ About 4 weeks into Design Phase, consultant will invoice agency
- ◎ Agency could be receiving NEPA and design invoices simultaneously



6. Design Phase

- ◎ Design plans distributed to LPDO
- ◎ Design plans reviewed by TDOT Design Division and TDOT Structures Division, when applicable
- ◎ Plans and comments returned to consultant and/or agency by LPDO
- ◎ Corrections made, if applicable

ALLOW AT LEAST 3 WEEKS



6. Design Phase

- ◎ Produce ROW plans and submit to LPDO
- ◎ ROW plans reviewed by TDOT ROW Division, if applicable
- ◎ Obtain ROW plans comments from LPDO
- ◎ Possible shortcuts for resurfacing and other smaller projects

ALLOW AT LEAST 3 WEEKS



Margaret Zeman Mahler, CADAC
ADA Compliance
Chief Engineer's Office
Tennessee Dept. of Transportation
615- 741-4984
V/TTY 615-253-8311
fax 615-532-5995



- ◎ [ADA.gov homepage](http://www.ada.gov)
- ◎ [About the ADA Standards - United States Access Board](http://www.access-board.gov) <http://www.access-board.gov>
- ◎ [ADA/Section 504 - Civil Rights | Federal Highway Administration](http://www.fhwa.dot.gov/ada/) [http://](http://www.fhwa.dot.gov/ada/) [Public Rights-Of-Way Accessibility Guidelines \(PROWAG\)](http://www.fhwa.dot.gov/ada/) · July 26, 2011
- ◎ [2010 ADA standards for Accessible Design](http://www.fhwa.dot.gov/ada/)



- ◎TDOT Standard Drawings
- ◎TDOT web site, Design Division
- ◎Design Standards



7. Upon approval of final ROW plans

- ◎ LPDO will request obligation of ROW funds OR
- ◎ If no ROW is to be acquired, LPDO will request certification of ROW and utilities from the TDOT Regional ROW Office
- ◎ NTP for ROW issued to Regional ROW LPA Coordinator
- ◎ Pre-construction activities are performed during ROW Phase

ALLOW 3 WEEKS (1 WEEK IF NO ROW ON PROJECT)



- ⇒ Land acquisition procedures are mandated by federal law and policies.
- ⇒ If land acquisition procedures are found to be flawed, all state and federal funding for the project may be withdrawn for every phase.
- ⇒ Withdrawal may be effective even if other phases were done in accordance with federal law, regulations and procedures.



- ⇒ **Utility Certifications must be obtained from each applicable utility whether affected or not**
- ⇒ **Utility companies have 120 days to respond**
- ⇒ **If project is within 200-feet of railroad you must obtain certification from the railroad**
 - ⇒ **Upgrades may be required to the rail-highway grade crossing WHICH IS A PROJECT EXPENSE!**
- ⇒ **All certification letters must be forwarded to the appropriate TDOT Regional Utility office for processing**



- ⇒ ROW documents are submitted to Regional LPA Coordinator
- ⇒ Utility documents are submitted to Regional Utility Coordinator
- ⇒ Railroad coordination documents are submitted to Railroad Coordinator
- ⇒ Can be done concurrently

SHANKLIN RULING INVOLVEMENT: GRADE CROSSING PHOTOS



For each at-grade railroad crossing within 200-feet of any federally funded project limits, local agencies are required to take photos that clearly depict each of the following items:

- Crossing identification number
- Entire crossing as a whole, at least one photo from each approach
- Railroad pavement markings
- All grade crossing warning signs and plaques
- All grade crossing regulatory signs and plaques
- Side roads parallel to tracks within 100 feet of crossing
- Speed limit of road and side roads within 100 feet
- Any sight distance issues and/or sight obstructions

NOTE: Please label photos appropriately, especially when there are side roads and/or more than one crossing involved.



7. Right-of-Way Phase will depend on...

- ⦿ Complexity of ROW acquisition
- ⦿ Number of tracts to acquire
- ⦿ Whether property owners support project
- ⦿ If utilities are to be relocated

ALLOW AT LEAST 6 WEEKS IF NO ROW TO ACQUIRE



7. Right-of-Way Phase

- ◎ Railroad clearance, if applicable
- ◎ Utility clearance
- ◎ ROW and utility certifications
- ◎ Submittal and review of construction plans
- ◎ Construction estimate submittal and review



7. Right-of-Way Phase

- ◎ DBE goal setting
- ◎ Title VI certification (can be done prior to this phase)
- ◎ Bid advertisement submittal and review
- ◎ Bid book submittal and review
- ◎ Obtain concurrence from TDOT Permit Office



7. After All ROW Phase LPDO Activities

- ◎ Request obligation of construction funds from FHWA
- ◎ Receive confirmation of obligation from FHWA
- ◎ Issue NTP for Construction Phase to agency

ALLOW AT LEAST 3 WEEKS

PRE-CONSTRUCTION & CONSTRUCTION PROCEDURES

- ◎ All projects must be competitively bid
- ◎ Detailed cost estimate must be reviewed and approved by TDOT
- ◎ Bid package must be approved and reviewed by TDOT
- ◎ Permit certification must be reviewed and approved by TDOT (contact John.Hewitt@tn.gov)
- ◎ Notice to Proceed for Construction must be obtained prior to advertisement
- ◎ No alternates or deductions shall be included in bid proposal



◎ **Form 8-1: Contract Proposal Template (Sample Bid Book)**
must be used or bid books will be returned or bid rejected

◎ **Common mistakes:**

- Not using standard template
- Using incorrect bid bond form
- Contradictory language



Who Can Bid?

- ◎ All contractors must be on TDOT's pre-qualified list
- ◎ Contractors must use and only use the name as shown on pre-qualification records
- ◎ All sub-contractors must be on TDOT's pre-qualified list before beginning any work
- ◎ Bid book and bid form must be marked VOID if sold to non-prequalified contractors or those pending qualification

Licensing of Prime Contractors



Please be aware that TDOT now **requires all PRIME contractors (except mowing and litter removal contractors)** to be licensed with the Tennessee Department of Commerce and Insurance, Board for Licensing Contractors. This requirement became effective with the August 3, 2012 letting.

Contractors will not be required to have a license to bid, however, prior to recommending award of the Contract, TDOT will confirm that the lowest responsible bidder is licensed. The Contractor will be considered for award for twenty-one (21) days after the letting date (bid submittal). If the contractor does not have a license, on or before the 21 days, the contractor will be considered non-responsive, and the next lowest responsible bidder will be considered for award.

It is recommended that all PRIME Contractors who are not currently licensed and intend to bid on future projects begin the process to obtain their contractor's license.

For more information on obtaining a Contractor's License please visit the Board for Licensing Contractors website at the following:

<http://tn.gov/commerce/boards/contractors/contractor.shtml>

****NOTICE: Title 48 of Tenn. Code Ann.****



Title 48 of Tenn. Code Ann. **requires all contractors and subcontractors that are domestic or foreign Corporations, Limited Liability Companies, Limited Partnerships, or Limited Liability Partnerships to be in good standing with the Secretary of State.** This includes being duly incorporated, authorized to transact business, and/or in compliance with other requirements as detailed by the Secretary of State. Please contact the Secretary of State should you have any questions at (615) 741-2286 or visit http://www.tn.gov/sos/bus_svc/index.htm .

Effective immediately, TDOT will not execute any contracts or approve subcontracts with contractors that are domestic or foreign Corporations, Limited Liability Companies, Limited Partnerships, or Limited Liability Partnerships, who are not in good standing with the Secretary of State (i.e. have a valid Certificate of Existence/Authorization).



Advertising & Bid Opening Procedures

- ◎ Must advertise once in the grand division newspaper, local paper and minority paper
- ◎ Must open bids three weeks after the date of the last insertion
 - Must read each responsive bid out loud and in public
 - Must select the lowest responsive bidder pending TDOT concurrence
 - **Do not open bids by non-prequalified contractor or all bids will be rejected.** (Local Agency is responsible for checking all bid proposals to ensure that the contractors are prequalified prior to opening bid proposal.)



Award of Contract

- ◎ Must submit estimate and bid tabulations to TDOT via email
- ◎ Must email request for concurrence on local government letterhead to TDOT prior to award to lowest bidder
- ◎ TDOT will review bids for concurrence or denial within approximately two weeks
- ◎ If TDOT cannot concur, project must be re-bid following the aforementioned procedures

REASONS FOR NOT AWARDING A BID



- 1. Failure to sign the bid**
- 2. Failure to furnish the required bid bond and Power of Attorney (POA)**
- 3. Failure to include a unit bid price for each item (must be an amount greater than zero)**
- 4. Failure to include a total amount**
- 5. Failure to prepare the bid in black or blue ink**
- 6. Failure to submit a non-collusion affidavit**
- 7. Failure to commit to the achievement of the DBE goal**
- 8. Failure to utilize the required forms approved by TDOT**
- 9. Failure to use TDOT Bid Book Template, Form 8-1**
- 10. Failure to submit a bid within the original bound bid book**

Construction Engineering Inspection (CEI) Procedures

- ◎ **Local government must designate a qualified full-time staff member who will be responsible for project administration; including:**
 - **Supervision of the hired CEI**
 - **Authority to request TDOT approval of change orders**
 - **Accountability for contract compliance**
 - **All local points of contact with TDOT**
 - **Maintaining a complete project file**

CEI Procedures

- ◎ **Local government must hire a pre-qualified consultant to oversee construction in the field**
- ◎ **CEI consultant must be on TDOT's pre-approved list**
- ◎ **CEI consultant must have completed LPDO CEI Training and show proof of attendance**
- ◎ **Local government's CEI will conduct all acceptance testing for materials**



- ◎ The Office of Local Programs has developed a training course specifically for local agency to better understand what is required
- ◎ Mandatory for CEIs and city employees actively managing projects (valid for 5 years)
- ◎ Next class has not yet been scheduled

TDOT Performed Oversight During Construction

- ◎ **TDOT will assign an inspector to the job**
- ◎ **TDOT's inspector and a representative of the Materials and Tests Division must attend the mandatory pre-construction meeting**
- ◎ **Do not conduct a pre-construction meeting without TDOT representation in person or via conference call; reschedule meeting**



The TDOT inspector will:

- ◎ **Attend regularly scheduled progress meetings**
- ◎ **Make monthly visits to the project site**



Materials Testing

- ◎ Local government's CEI will conduct all acceptance testing
- ◎ TDOT will perform verification and independent assurance testing
- ◎ Local Agency must submit 14 days prior to Pre-construction meeting plans, specifications and estimate to TDOT Materials and Testing



Final Inspection and Acceptance

- ◎ TDOT must attend the final inspection
- ◎ TDOT must provide the final acceptance of the project

Project Close-Out

- ⦿ Explanations of overruns/underruns
- ⦿ Retention of project records
- ⦿ Determination of final contract schedule and quantities
- ⦿ Certificate completed & signed by Project Manager
- ⦿ CC-3(s), certification of Disadvantaged Business Enterprise (DBE) payments
- ⦿ Material certification letter
- ⦿ Advertisement of contract for claims



- ⦿ Engineer & CEI must be on TDOT's pre-qualified list
- ⦿ All Sub-contracts must have FHWA 1273 included
- ⦿ Change Orders must be processed in a timely manner and approved by TDOT
- ⦿ Material acceptance test documentation
- ⦿ TDOT assurance testing performed when testing is done
- ⦿ DBE participation must be met
- ⦿ CUF interviews must be performed
- ⦿ OJT must be completed by contractor and on file



- ⦿ **Daily diary of work activity must be kept by CEI**
- ⦿ **CEI must be on site during construction as required by 23 CFR 635.105**
- ⦿ **If original low bid is rejected, local agency must have TDOT concurrence to reject and justification from local agency as to why**
- ⦿ **Buy America certifications on file; no exceptions**
 - ⦿ **Any phase(s) could be subject to penalties if Buy America requirements are not met**



8. Construction Phase

- ◎ Agency will advertise for bids
- ◎ Agency receives and tabulates bids
- ◎ Agency submits bids to LPDO for concurrence to award or reject
- ◎ Upon getting concurrence, agency awards project
- ◎ Pre-construction conference held
- ◎ Contracts are signed by all parties
- ◎ DBE Form 8-5 is sent back to TDOT Civil Rights

ALLOW AT LEAST 10 WEEKS



8. Construction Phase

- ⦿ **Change Orders – approved by Local Agency, concurred by TDOT (Follow TDOT Circular Letter 104.03-02)**
- ⦿ **Invoices submitted monthly**
- ⦿ **Input required information into Local Programs NIC reporting system**
- ⦿ **After last invoice is submitted, the agency will send in an End of Job certificate**



- ◎ All federally-funded projects should be assessed for inclusion of DBEs
- ◎ Local governments should establish an appropriate DBE goal and obtain concurrence from TDOT
- ◎ All established DBE goals must be met or exceeded
- ◎ DBEs must perform a Commercially Useful Function (CUF), to be confirmed by CEI



Common Contractor Mistakes:

- ⦿ **Swapping out DBE work with non-DBE contractors**
- ⦿ **No CUF's performed**
- ⦿ **Elimination of DBE work and did not find replacement work**



If the Contractor fails to comply with this Special Provision 1247, the Department may take one or a combination of the following steps:

- 1) Require the Contractor to have its entire management staff attend DBE training arranged by the Department and paid by the Contractor.
- 2) The next bid when Contractor is the low bidder on a DBE goal project, require that Contractor shall achieve a DBE participation that is twice the stated goals.
- 3) For the Contractor's failure to find another DBE subcontractor to substitute for a DBE that is terminated or fails to complete its work on the contract for any reason or to provide the CRO - SBDP documentation clearly evidencing good faith efforts, as detailed in D.1. above, then **the Department may withhold from the Contractor an amount not to exceed the amount of money originally committed to the non-complying DBE subcontractor, not as a penalty but as liquidated damages.**
- 4) Suspend the Contractor from participation in Department bid lettings pursuant to rules promulgated by the Department.
- 5) For repeated failures to comply, debar the Contractor pursuant to rules promulgated by the Department.
- 6) Invoke other remedies available by law and/or in the contract.
- 7) Invoke remedy agreed upon by the Commissioner and Contractor in writing.



- ⦿ **Applies only to securing a contract with the contractor**
- ⦿ **When contract is executed, DBE goals will be met**
- ⦿ **If DBE goal is not met, Local Agency will be subject to repayment of work performed that would have been performed by DBE**
- ⦿ **Federal audit will catch this**



The local government must be committed to a policy of Equal Employment Opportunity and will administer its personnel policies and conduct its employment practices in a manner which treats each employee, applicant for employment and contractor/consultant employee on the basis of merit, experience and other work related criteria without regard to race, color, religion, national origin, sex, age, disability or any other protected class.



Local Government must have a civil rights coordinator on staff that has completed the Title VI training, which is available online. Designate appropriate person(s) responsible for ensuring compliance with Title VI, EEO and DBE requirements. (Title VI Coordinator, EEO Officer, DBE Liaison). This person should have a responsible position in the local government and have easy access to the head of the local government.



- ◎ **In order to move to the Construction Phase, local government must provide general compliance letter to planner**
- ◎ **Every government receiving federal-aid must have a comprehensive and pro-active Title VI enforcement program to eliminate and prevent discrimination**
- ◎ **Title VI certification must be obtained prior to the issuance of a Notice to Proceed for Construction**
- ◎ **Title VI compliance must be from TDOT on TDOT letterhead**



Local Programs

Tennessee Department of Transportation - Local Programs

Users

Welcome back.

[Go to Log In](#)

What You Can Do

- Revise Project and Contractor information
- Add and Edit Subcontractor information

What You Will Need

- Contractor and Subcontractor information including their ID - Duns, Contact Name/Address, Contract Numbers and more

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Tennessee Department of Transportation

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Local Programs

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Log In to Local Programs

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Password

Log In

Forgot your [user name](#) or [password](#)?

Update account information or [change your password](#).

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Local Programs

Dashboard

<u>Modified Date</u>	<u>Program PIN</u>	<u>Description</u>
05/02/2012	12345.67.89	Bonbon marzipan tootsie roll marzipan chocolate cake gingerbread halvah biscuit.
04/12/2012	12345.67.24	Donut bear claw chocolate muffin donut jelly pie donut jelly.
04/07/2012	12345.67.34	Macaroon sweet roll jelly beans pie. Sweet jelly-o sweet cotton candy marzipan.
04/02/2012	12345.67.12	Jelly soufflé cupcake fruitcake chocolate bar soufflé gummies.

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Local Programs

Edit Program

Project Information

Region	Region Name
PIN	1234.567.89
FED #	123456789
Contract Agency Name	Agency Name
Contact #1 Name	John Smith
Contact #1 Primary Phone	(615)555-5555
Contact #1 Alternative Phone	N/A
Contact #1 Email	john.smith@tn.gov
City	<input type="text"/>
County	Davidson ▾
Route	<input type="text"/>
Termini/Description	<div><div></div></div>
Type of Work	<input type="text"/>
Construction Award Date	<input type="text"/>
Contract Award Amount	\$ <input type="text"/>
Start Date/Anticipated Start Date	<input type="text"/>
Contract Completion Date	<input type="text"/>
DBE Goal	<input type="text"/> %
DBE Commitment	<input type="text"/> %

Actual Completion Date

Contractor Information

Contract Name

LOCAL REPORTING REQUIREMENTS:



- ⦿ **Construction Award Date**
- ⦿ **Award Amount**
- ⦿ **Start Date/Anticipated Start Date**
- ⦿ **Contract Completion Date**
- ⦿ **Actual Completion Date**
- ⦿ **DBE Goal**
- ⦿ **DBE Commitment**
- ⦿ **Contractors**
- ⦿ **ID-DUNS**
- ⦿ **Company Name, Location Address, Billing Address**
- ⦿ **Sub-consultants**
- ⦿ **ETC.**

Requirements: Local agency responsible to report; not the contractor
Required to report upon issuance of work order to contractor



Local Programs

Confirmation

Thank you for submitting your Program information.

[Return to Dashboard](#)

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- ◎ Pay requests must be sent by email as an attachment to lpd.invoices@tn.gov in PDF form
- ◎ Includes all pay requests for Local Programs, Enhancement/TA, and Safe Routes to School Projects
- ◎ TDOT Local Government invoice cover sheet from <http://www.tdot.state.tn.us/local/> must accompany all reimbursement requests
- ◎ All requests without the correct TDOT invoice cover sheet will be returned

SAMPLE:

TDOT CONSTRUCTION INVOICE

COVER SHEET

(NAME OF LOCAL GOVERNMENT)

Local Government Guidelines Form 9-8

October 26, 2011



LOCAL GOVERNMENT CONSTRUCTION COSTS INVOICE

INVOICE DATE _____ FINAL INVOICE FOR THIS PHASE? ☐ YES ☐ NO

LOCAL GOVERNMENT AGENCY: _____

REMIT TO ADDRESS: _____

COUNTY: _____

INVOICE # _____

PIN # _____

STATE PROJECT # _____

FED PROJECT # _____

CONTRACT # _____

PROJECT DESCRIPTION _____

Type project description here.

COSTS PER ENGINEER'S ESTIMATE OR
LOCAL FORCES INVOICE

CONSTRUCTION ENGINEERING COSTS

SUBTOTAL

LESS: LOCAL GOVERNMENT SHARE 0%

BALANCE

LESS: AMOUNTS PREVIOUSLY INVOICED

AMOUNT DUE THIS INVOICE

CURRENT COSTS		COST SHOWN ON PRIOR INVOICES		TOTAL COSTS
	+		=	\$0.00
	+		=	\$0.00
			-	\$0.00
				\$0.00
			-	\$0.00
				\$0.00

I CERTIFY UNDER PENALTY OF LAW THAT THIS CERTIFICATION/ESTIMATE AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHERED AND EVALUATED INFORMATION PRESENTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, I HEREBY CERTIFY THAT THIS SUBMITTAL IS ACCURATE AND CORRECT. I AM AWARE THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. I FURTHER ACKNOWLEDGE THAT FAILURE TO FOLLOW FEDERAL DIRECTIVES, GUIDELINES, AND REGULATIONS WILL RESULT IN THE LOSS OF FEDERAL FUNDING.

(PROJECT SUPERVISOR)

(LOCAL GOVERNMENT OFFICIAL)

DIVISION ID # 403633004C		FOR TDOT USE ONLY	
INVOICE RECEIVED _____			
I HEREBY ACKNOWLEDGE RECEIPT OF THE APPROPRIATE DOCUMENTATION FOR PAYMENT OF THIS ESTIMATE/INVOICE WHICH INCLUDES CERTIFICATION SIGNED BY THE LOCAL GOVERNMENT ENTITY. BASED ON THE ATTACHED DOCUMENTATION AND IN ACCORDANCE WITH THE LOCAL PROGRAM GUIDELINES THIS INVOICE IS SUBMITTED FOR PAYMENT.			
_____ TDOT OFFICIAL		_____ DATE	
APPROVED PAY _____		FED SPEED CHART _____	\$ _____
LOCAL MATCH \$ _____		ST SPEED CHART _____	\$ _____
VENDOR NAME _____		LOC SPEED CHART _____	\$ _____
VENDOR ID _____		SPLIT SPEED CHART _____	\$ _____
LOCATION _____ ADDRESS # _____		RECEIPT # _____	4
EDISON CONTRACT ID _____		VOUCHER # _____	5
PURCHASE ORDER ID _____		PAYMENT REF ID # _____	6
COMMENTS: _____			

SAMPLE: AUTHORIZED SIGNATURE FORM



DUNS Number and Authorized Signature Form

DUNS Number	
DUNS Number	Address (must include 9-digit zip code)
Physical Address of Project (must include 9-digit zip code)	
Authorized Signatures	
A minimum of two (2) signatures must be shown to permit flexibility in making requests for reimbursement. Signatures of individuals authorized to sign for reimbursement requests for the project.	
Typed Name and Title	Signature
Typed Name and Title	Signature
Typed Name and Title	Signature
Typed Name and Title	Signature
I certify that the signatures of the above individuals are only those persons authorized to sign for the reimbursements requests noted in number one (1) of this Authorized Signature Form.	
Signature of Highest Elected Official	Date

A new form must be submitted whenever authorized signers change



Invoices may be submitted no more often than monthly

C.4 Payment Methodology:

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

- a) The Agency shall submit invoices, in a form outlined in the Local Government Guidelines with all necessary supporting documentation, prior to any reimbursement of allowable costs. Such invoices **shall be submitted no more often than monthly but at least quarterly** and indicate, at a minimum, the amount charged by allowable cost line-item for the period invoiced, the amount charged by line-item to date, the total amounts charged for the period invoiced, and the total amount charged under this agreement to date. Each invoice shall be accompanied by proof of payment in the form of a canceled check or other means acceptable to the Department.

Will not issue Notice to Proceed without billing of prior phase of project



- ◎ Invoices will be returned for correction of errors
- ◎ Each reimbursement request must include:
 - copies of paid invoices
 - copies of canceled checks, or
 - other acceptable proof of payment
 - approved submittal signature
- ◎ Invoice must be signed by the Project Supervisor with the local agency



STATE AND FEDERAL BICYCLE & PEDESTRIAN POLICY REQUIREMENTS

Jessica Wilson



◎ **USDOT Policy Statement on Bicycle and Pedestrian Accommodation (March 2010):**

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems.

◎ **TDOT Bicycle and Pedestrian Policy (December 2010):**

The policy of the Department of Transportation is to routinely integrate bicycling and walking facilities into the transportation system as a means to improve mobility, access and safety of non-motorized traffic. The intent of this policy is to promote the inclusion of bicycle and pedestrian accommodations in the transportation planning and project development activities at local, regional and statewide levels.



Bicycle and pedestrian accommodation or facilities shall be integrated into the study, planning, design, and implementation of federal and state funded transportation projects involving air, rail, marine, and public transportation, including public parking facilities, and included in the Statewide Transportation Improvement Program when Federal Funds are being used.

What This Does NOT Mean:

Every roadway project in TN must include a bike lane and sidewalk. Consider the context.....





BEFORE



AFTER





©Natchez - Trace, TheFunTimesGuide.com

THE GOOD...



THE BAD...



THE UGLY.



NEW! TDOT MULTIMODAL ACCESS GRANT



Overview

- \$30 million in state funding for FY 2014-2016
- RPOs/MPOs allowed to submit up to 2 projects
- 95% state/ 5% local match
- Eligible activities include infrastructure for pedestrians, bicyclists, and transit users



CONTACT INFORMATION



Jessica Wilson
Bicycle and Pedestrian Coordinator
(615) 741-5025

Jessica.L.Wilson@tn.gov





SafeRoutes

Tennessee Safe Routes to School



SAFE ROUTES TO SCHOOL (SRTS)



- ◎ **Safe Routes to School (SRTS) is a federally funded program authorized by Congress in the 2005 Transportation Reauthorization Bill (Rescinded under MAP-21)**
- ◎ **MAP-21 states that items eligible under SRTS umbrella are also eligible under the STP program and the TA program**
- ◎ **Applications must be submitted by local governments (regional agencies, school districts, parent-teacher organizations, or non-profit organizations may partner with local government); the deadline for the FY-13 applications was Jan. 15, 2014**



Tennessee Safe Routes to School

Diana Benedict, Program Coordinator
Tennessee Department of Transportation
505 Deaderick Street, Suite 600
Nashville, TN 37243
Phone: (615) 253-2421
E-mail: Diana.Benedict@tn.gov

TRANSPORTATION ALTERNATIVES PROGRAM





- ◎ **2013 Transportation Alternatives grants have been awarded**
- ◎ **2014 TA applications announcements will be made late Summer/early Fall 2014**
- ◎ **Large MPOs (Chattanooga, Knoxville, Memphis and Nashville) hold their own competitive grant cycles**
- ◎ **Activities no longer eligible for funding:**
 - **Historic site acquisition (including battlefields)**
 - **Visitor/Welcome Centers**
 - **Transportation Museums**



Transportation Alternatives

(formerly Enhancement Program)

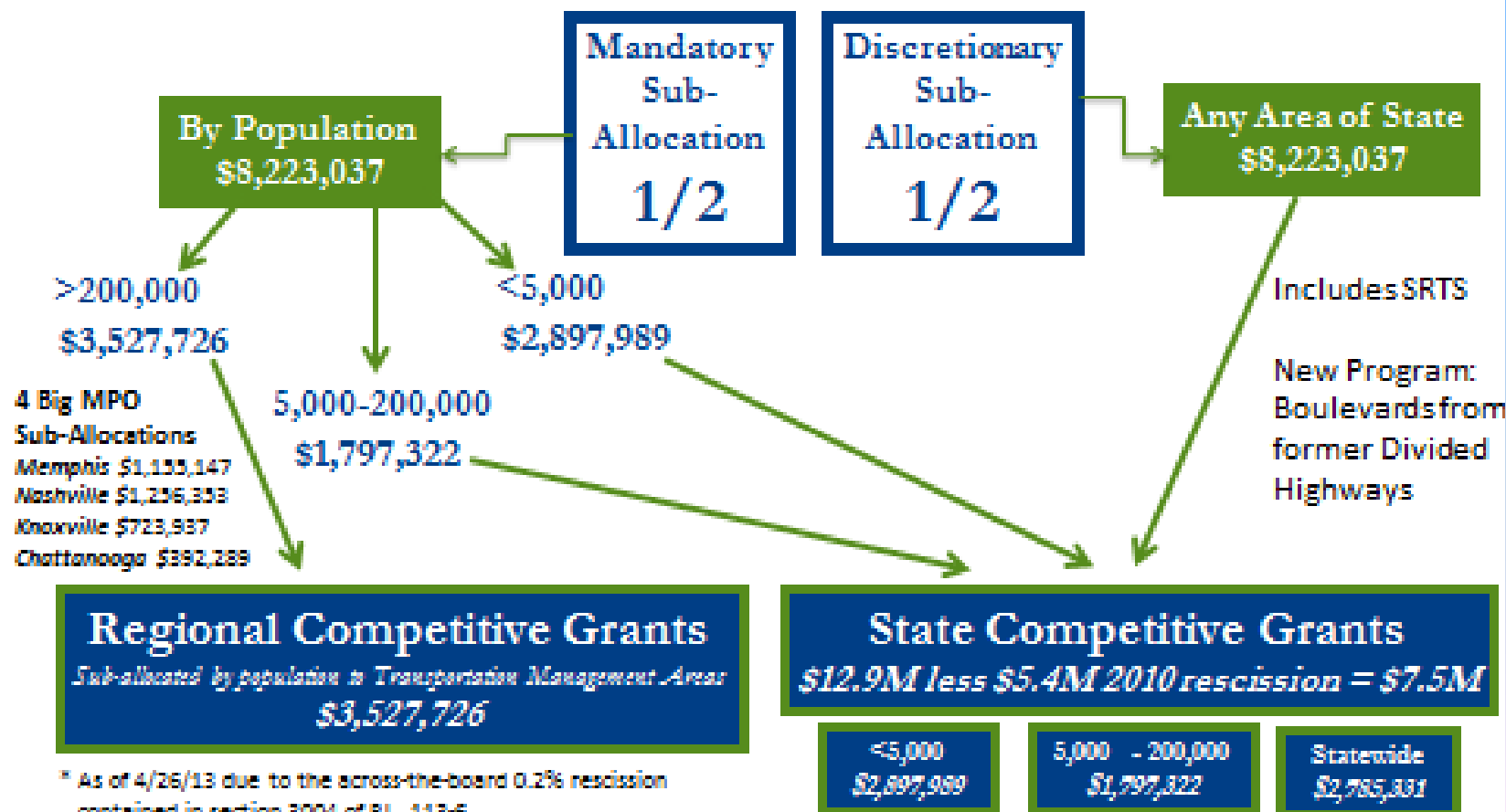
Sub-allocation of Funds less 2013 Rescission*

Recreational Trails Program

(\$1,640,613 taken off the top and given to TDEC), then...



11/16/2012 Based on FY13
State Program
Development/Enhancement/TA
2013 Sub-allocation of Funds, version 2



* As of 4/26/13 due to the across-the-board 0.2% rescission contained in section 3004 of P.L. 113-6



Transportation Alternatives

**Neil Hansen, Program Coordinator
Tennessee Department of Transportation
505 Deaderick Street, Suite 600
Nashville, TN 37243
Phone: (615) 741-4850
E-mail: Neil.Hansen@tn.gov**



◎ **Non-Highway Construction**

- **Preservation and Rehabilitation of Historic Transportation Facilities**
- **Building Projects**

◎ **Non-Construction/Service Contract**

- **Safety and Educational Activities for Pedestrians and Bicycles**
- **Inventory, Control, and/or Removal of Outdoor Advertising**
- **Archeological Activities Related to Impacts from Transportation Projects**
- **Pollution Prevention/Abatement Activities and Stormwater Mitigation**
- **Reduction of Vehicle-Caused Wildlife Mortality**
- **Workforce Development, Training, and Education Activities**



- **Diesel Emission Reduction Projects (diesel retrofits, idle reduction technology)**
- **Acquisition of Alternative Fuel Vehicles**
- **Transit Investments (Non-Construction/Service Contract Activities)**
- **Carpool, Vanpool, Rideshare Projects, Transportation Demand Management, and Education/Outreach**
- **Software Projects**
- **Purchase of Integrated, Interoperable Emergency Communications Equipment**
- **Establishment or Operation of a Traffic Monitoring, Management, or Control Facility**
- **Electric Recharging, Biofuel Refueling, and Truck Stop Electrification Facilities**

LOCALLY MANAGED PROJECT TIMELINE RE-CAP



Project Inception to Fully Executed Contract - 13 Weeks

NEPA Phase - 14 Weeks

Design Phase - 10 Weeks

ROW Phase - 9 Weeks

Construction NTP to Construction Beginning - 10 Weeks



**IF EVERYTHING GOES ACCORDING TO PLAN, THE
MINIMUM TIME FROM PROJECT INCEPTION TO
CONSTRUCTION WILL BE 56 WEEKS PLUS THE LENGTH
OF TIME IT TAKES TO CONSTRUCT THE PROJECT.**

BE DILIGENT AND PATIENT. GOOD LUCK!



- ◎ **State's Small Procurement Purchase amount has increased to \$150,000.00**
 - If your agency has a small procurement threshold (dollar amount) that is less than the States minimum you must follow your agency's procedures
- ◎ **Hotel rates have changed; consultants need to be aware of this for invoices**
- ◎ **New 2014 rates have been released; should be updated in bid books prior to advertising for bids**
- ◎ **New LGG manual posted**

WHEN CONTACTING TDOT PLEASE PROVIDE



- ◎ **Project Title**
- ◎ **Project Location (City and County)**
- ◎ **Project Identification Number (PIN), an eight digit number (Example: 016055.00) assigned to each specific project**
- ◎ **PIN must also be referenced on all correspondence and reimbursement requests**



Whitney Sullivan

Transportation Manager

TDOT Local Programs

615.253.1387

whitney.sullivan@tn.gov



Tennessee Department of Transportation

John Schroer, Commissioner



GOVERNOR
Bill Haslam
Visit Bill's Web Site

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For the Public

For Contractors
and Consultants

For Local Government

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Local Program Development Office



Search

Local Program Development Office (LPDO)



The Mission of the Local Programs Development Office is to provide a professional, knowledgeable team ready to assist local agencies in the development and implementation of transportation improvements within their community.

The Local Program Development Office (LPDO) administers those federal and state funding programs that are available to local governments to improve their transportation systems.

This site includes information regarding Surface Transportation, Enhancement, Safe Routes to School, Congestion Mitigation and Air Quality Improvement, Spot Safety, Local Interstate Connector, State Industrial Access Road, Interchange Lighting and Bridge Replacement.

The site also has procedural information, such as how to advertise a federally-funded project and how to request reimbursement for eligible local expenditures.

Explore LPDO Resources

- › [Training](#)
- › [Funding Guidance](#)
- › [Enhancement Program](#)
- › [Safe Routes to School](#)
- › [Documents and Forms](#)
- › [Reimbursement Guidance](#)
- › [Office Contacts](#)

RECENT ANNOUNCEMENTS



July 2012

Repair and Installation of Curb Ramps on Resurfacing Projects

Please be advised that for all resurfacing projects ADA requirements must be adhered to, including the installation of ADA compliant curb cuts/ramps. This includes all projects using federal funds that are being let to construction by the local agencies. In order to assist local governments with compliance with the Americans with Disabilities Act, it will now be the department's intent to repair or install curb ramps which meet the Americans with Disabilities Act Accessibility Guidelines whenever possible as we encounter them through resurfacing. It is, however, still the responsibility of local governments to maintain

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